



Handwritten signature/initials

Customer No. 22,852
Attorney Docket No. 09605.0044-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent No. 7,435,742)	
)	
Issue Date: October 14, 2008)	Group Art Unit: 1625
)	
Inventor: Maria PRAT QUINONES et al.)	Examiner: RAHMANI, Niloofar
)	
Application No.: 10/518,496)	Conf. No. 4930
)	
§ 371 Filing Date: September 19, 2005)	
)	
For: QUINUCLIDINE DERIVATIVES AND)	
PHARMACEUTICAL COMPOSITIONS)	
CONTAINING THE SAME)	

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

POST GRANT APPLICATION FOR PATENT TERM ADJUSTMENT

The Office issued the subject U.S. Patent No. 7,435,742 (the '742 patent) on October 14, 2008 with a patent term adjustment of 296 days. The requirements under 35 U.S.C. § 371 were met for the national stage on September 19, 2005. The first Office Action on the merits was dated December 7, 2007, creating a U.S. Patent and Trademark Office (USPTO) delay of 383 days. A response to this Office Action was filed on March 7, 2008, but a supplemental Information Disclosure Statement was filed on June 2, 2008, creating an Applicant delay of 87 days. The application was allowed on June 9, 2008, and the issue fee was paid on September 5, 2008. The '742 patent issued on October 14, 2008. The three year pendency date for determination of patent term adjustment is September 19, 2008, thereby creating a USPTO delay of 26 days.

11/14/2008 SHOHANNI 00000058 10518496

01 FC:1455

200.00 OP

In view of the decision of the Federal District Court for the District of Columbia in *Wyeth v. Dudas* on September 30, 2008, patentee submits it is entitled to a total patent term adjustment of 322 days which is the sum of 296 days of patent term adjustment due to exceeding three year pendency and 26 days due to USPTO delay in prosecution.

The requisite \$200 fee for this Application for Patent Term Adjustment is being paid concurrently with this submission. If there are any other fees due in connection with the filing of this request, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 12, 2008

By: 

Carlos M. Téllez
Reg. No. 48,638